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23 March 1976

Executive Registry

76-7552

MEMORANDUM FOR: Director of Central Intelligence

FROM: John S. Warner
General CounselSUBJECT: Arrangement for Release of Watch List to Congresswoman
Abzug

1. This is for your information only. Rex Lee, Assistant Attorney General for the Civil Division, Department of Justice, telephoned me on 22 March, the subject being Congresswoman Abzug's possible action in seeking contempt citations by the House with respect to five FBI agents who refused to testify as to certain electronic surveillance matters on instructions from the White House. Also in the picture is a possible subpoena to secure copies of the Watch List from NSA. Lee indicated that Congressman McCloskey in effect has been counterattacking Abzug. There appears to be in the making an accommodation whereby Abzug would cease further efforts with respect to the agents and with respect to any subpoena action to NSA. In return, in a classified environment with only members present or appropriate staffers if they have SI clearances, they would be given a briefing by NSA on the general situation, including [] and would be exhibited a copy of the Watch List. The Watch List would not be given to them as a document; they would only be given access to it. Further, there would be a specific understanding that none of the names would be disclosed to the public. There is to be a written undertaking incorporating the above.

2. Rex Lee had wanted to know whether we could go along with the above since some of the names had been supplied by CIA. After this was checked out internally with Bill Nelson, [] and Hank Knoche, I further discussed the details with [] and [] of NSA who has been dealing with McCloskey. It appears there are [] names on the list which we supplied. I was assured by [] that there was no CI or operational interest in the names. The names basically are those out of the CHAOS program. It appeared that the proposal was a reasonable one under the circumstances and I then consulted Carl Duckett in his capacity as Acting Director and he agreed.

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3. Subsequently, I so advised Rex Lee and added a further condition that the Watch List to be exhibited to Abzug would not include any indication as to which agency supplied what names to the Watch List. Lee agreed to this.

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John S. Warner

cc: DDS&T
DDOActing D/DCI/IC
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Remarks: Rex Lee called today to advise that McCloskey has indicated that the climate does not appear to be favorable to go forward with this at this time. <div style="border: 1px solid black; width: 200px; height: 40px; margin: 10px auto;"></div> <p style="text-align: center;">John S. Warner</p> <p style="text-align: right; margin-top: 20px;">STATINTL</p>			
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